



**CITY OF LEON VALLEY  
CITY COUNCIL REGULAR MEETING**

Leon Valley Conference Center  
6421 Evers Road, Leon Valley, Texas 78238  
Tuesday, June 02, 2015

**MINUTES**

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The City Council of the City of Leon Valley, Texas met on the 2<sup>nd</sup> day of June, 2015 at the Leon Valley Conference Center located at 6421 Evers Road, Leon Valley, Texas for the purpose of the following business:

**REGULAR CITY COUNCIL MEETING**

Mayor Riley called the Regular City Council Meeting to order at 7:03 p.m. and led the Pledge of Allegiance.

Mayor Riley asked that the minutes reflect that the following members of City Council were present: Council Members Carmen Sanchez, Monica Alcocer, Benny Martinez; David Jordan; and David Edwards.

Also in attendance were:

Interim City Manager Hank Brummett, ACM/Human Resources Director Crystal Caldera, ACM/Randall Wallace, City Secretary Sandra Passailaigue, Fire Chief Luis Valdez, Assistant Public Works Director David Dimaline, Assistant Police Chief Ray Lacy, Economic Development Director Claudia Mora and Communications Director Darrick Green.

Mayor Riley asked for a moment of silence in honor of the recent flood victims and their families.

Mayor Riley re-introduced Interim City Manager Hank Brummett who is serving for the third time since 2006 and served as Leon Valley City Manager for eleven years. Mayor Riley thanked staff for all their work on the temporary meeting set up.

Mayor Riley asked if any of the Councilmembers wished to pull Items 4, 5, 6 or 7 from the Consent Agenda for discussion. There being no comment from the Council, Mayor Riley moved to Citizens to be Heard.

### **Citizens to be Heard**

- Tony Westrich, 6100 Forest Wood, thanked the outgoing council members for their service and congratulated the new council members. Mr. Westrich reminded the council that the citizens are their customers.
- Kim Crawford, 7007 Forest Mont, spoke in regards to the formation of the Home Rule Charter Committee and asked that next time the committee be made up of citizens and not ex-politicians; and questioned how long the City had to wait to revisit the Home Rule Charter.
- Richard Blackmore, 6639 Forest Haven, spoke in opposition of a Home Rule Charter; and asked why the newly paved Evers Road is being dug up when he said it should have been done before it was paved.
- Belinda Ealy, 7314 Canterfield Road, urged Council and staff to recycle during the July 4<sup>th</sup> Spectacular.

There being no further comments from citizens, Mayor Riley asked for a motion to accept the consent agenda.

### **CONSENT AGENDA**

#### **Approval of City Council Minutes. (ACM C. Caldera/S. Passailaigue)**

##### **a) May 19, 2015 Regular City Council Meeting**

**Consider approval of a resolution authorizing the filing of a partnership with the Bexar County Community Development Block Grant Program for Fiscal Year 2015. M&C #2015-06-02-01 (ACM R. Wallace/M. Moritz)**

**Consider approval of a waiver of related fees for the use of the Leon Valley Conference Center by the Bexar County Flood Control. M&C #2015-06-02-02 (ACM C. Caldera/S. Passailaigue)**

**Consider approval of a waiver of related fees for the use of the large pavilion with BBQ pit at Raymond Rimkus Park for Northside Independent School District (NISD) Business Office. M&C #2015-06-02-03 (ACM C. Caldera/S. Passailaigue)**

A motion was made by Council Member Monica Alcocer seconded by Council Member Carmen Sanchez, to approve Consent Agenda Items #4 (May 19<sup>th</sup> City Council Minutes), #5 (Resolution No. 15-013R), #6 (Conference Center Fee Waiver) and #7 (Pavilion Waiver) as presented. Upon a unanimous vote, Mayor Riley announced the motion carried.

### **REGULAR AGENDA**

**Presentation, discussion and update on the lawsuit Larry Little vs. City of Leon Valley Economic Development Corporation. (As requested by Mayor Riley)**

Leon Valley Economic Development Corporation (LVEDC) attorney Mr. Gaines Griffin gave a brief update on the lawsuit between Larry Little and the LVEDC. Mr. Griffin said he was limited on what he could discuss in open session. This was followed by a brief discussion.



No action was taken on this item.

**Consider approval of a budget adjustment and related ordinance to add up to \$200,000 of previously unbudgeted LVEDC Funds from the LVEDC's Money Market account to the Professional Services line item of the current fiscal year budget. M&C #2015-06-02-04 (C. Mora)**

Leon Valley Economic Development Director Claudia Mora presented this item for the purpose of approval of a budget adjustment to the LVEDC Fiscal Year 2015 budget. The Leon Valley Economic Development Corporation is seeking City Council approval to add up to \$200,000 of previously unbudgeted LVEDC funds from the LVEDC's Money Market account to the Professional Services line item of the FY 2015 budget. Ms. Mora continued to say that the LVEDC wants to have funds budgeted to pay the increasing legal fees, court costs, and any costs associated with the current lawsuit appeal, in addition to consultant services to continue with the promotion of economic development for Leon Valley. Earlier in the fiscal year, the LVEDC reallocated \$118,680 from the EDC Project Fund line item to the Professional Services line item. This increased the Professional Services line item to \$168,680 and reduced the EDC Project Fund line item to \$184,628. Adding \$200,000 would increase the total LVEDC FY 2015 budget to \$640,000.

A motion was made by Council Member Monica Alcocer seconded by Council Member Benny Martinez, to postpone this item until the June 16<sup>th</sup> City Council meeting when more information is available to make a proper decision. Upon a unanimous vote, Mayor Riley announced the motion carried.

**Conduct the Second of Two Public Hearings and Readings to Receive Public Comment, and Consider Action on a Resolution Approving the Expenditure of LVEDC Funds and the LVEDC Co-Sponsorship of the City of Leon Valley 4<sup>th</sup> of July Celebration/Spectacular. M&C #2015-06-02-05 (C. Mora)**

Leon Valley Economic Development Director Claudia Mora presented this item which is intended to conduct the second of two public hearings and readings of the resolution approving expenditure of LVEDC funding and to receive comment from Leon Valley citizens regarding LVEDC's co-sponsorship of the 4<sup>th</sup> of July Celebration/Spectacular. Article IV Functional Corporate Duties and Requirements, Section 4.5 Expenditure of Corporate Money, Subsection (c) of the Bylaws of the City of Leon Valley Economic Development Corporation (LVEDC) requires that expenditures approved by the LVEDC Board of Directors for project funding in excess of \$10,000 have at least two separate readings of the approving City Council resolution and two public hearings. LVEDC Director Mora added that at the April 22, 2015 meeting, the LVEDC Board of Directors approved the funding of \$15,000 in LVEDC funds to co-sponsor the City of Leon Valley 4<sup>th</sup> of July Celebration/Spectacular. The City Council held the first public hearing and reading on May 19, 2015. If approved by the City Council, the co-sponsorship will allow the LVEDC to promote Leon Valley and attract patrons to area businesses to help increase sales tax revenue for the City. In addition, the co-sponsorship of \$15,000 enhances the city's identity, and enables the City of Leon Valley to build a special event that increases the city's visibility to the San Antonio area and South Texas region.



Mayor Riley opened the public hearing at 8:22 p.m. There being no public comment, Mayor Riley closed the public hearing at 8:22 p.m.

A motion was made by Council Member Benny Martinez seconded by Council Member David Jordan, to accept Resolution No. 15-015R as presented. Upon a unanimous vote, Mayor Riley announced the motion carried.

**Discussion and possible action requesting that the Alamo Area Metropolitan Planning Organization amend its Transportation Improvement Program to move the Huebner Creek Greenway Hike and Bike Trail Project and Funding from Fiscal Year 2015 to Fiscal Year 2017. (As requested by Mayor Riley)**

Mayor Riley presented Resolution No. 15-016R saying that this resolution would direct City staff to work with the Alamo Area MPO and the Texas Department of Transportation to amend the region's Transportation Improvement Program to move the Huebner Creek Greenway Hike and Bike Trail project and funding from Fiscal Year 2015 to Fiscal Year 2017 to align with the completion of the LC 17 Bexar County Flood Control Project. Mayor Riley added that the staff would be directed to work with the City Council and the public to design an alternate route that would fulfill the original intent of the project and connect Raymond Rimkus Park with Crystal Hills Park. Route, timeline for development, and cost analysis should be discussed at the town hall meeting currently scheduled for January, 2016.

This was followed by a brief discussion.

A motion was made by Council Member Benny Martinez seconded by Council Member Monica Alcocer, to accept Resolution No. 15-016R as presented. Upon a unanimous vote, Mayor Riley announced the motion carried.

- Irene Baldrige, 6368 Parsley Hill, spoke about working together to use the funds to complete the trail and make everyone happy.
- Kim Crawford, 7007 Forest Mont, questioned whether or not any trees had been removed or concrete poured.

**Election of the Mayor Pro-Tem. M&C #2015-06-02-06 (ACM C. Caldera/S. Passailaigue)**

A motion was made by Council Member Benny Martinez, seconded by Council Member David Jordan, to nominate Council Member Carmen Sanchez to the position of Mayor Pro Tem. Upon a unanimous vote, Mayor Riley announced the motion carried.

**Discussion and possible action on an ordinance amending the City Of Leon Valley's Code Of Ordinances, Chapter 1 "General Provisions", Article 1.10 "Public Gatherings", Division 2, "Parades". M&C #2015-06-02-07 (City Attorney C. Rodriguez)**

City Attorney Clarissa Rodriguez presented the item which is on the agenda due to a request of a citizen. City Council asked staff to review the Code of Ordinances as it pertains to Public Gatherings and bring back a proposed amendment. The Code of Ordinances defined a parade as any parade, demonstration, march, ceremony, show, exhibition, pageant or procession of



any kind or any similar display, in or upon any street, park, or other place in the City. The Code required the hiring of police officers due to the inherent risks involved regarding traffic and other safety issues at a number to be determined by the Chief of Police. This number is dependent upon the specific route, number of participants, whether such parade is pedestrian or vehicular and other safety concerns. A concern brought forth from a resident was the possibility that an undue amount of Officers would be required, at a cost to the applicant, if the parade was one the Police Chief was not in favor of. On December 8, 2014, the City Council modified the Ordinance, allowing for an appeal process if the applicant felt the number of Officers requested was an undue amount. City Attorney Rodriguez said that the amendment would now define a parade as a group of persons moving along, by whatever means, in an orderly, formal manner on any street, alley, or public thoroughfare. A parade is also defined as a group of persons moving along, by whatever means, in an orderly, formal manner anywhere else in the City from a point of origin to a point of termination in such a way as to impede the normal flow or regulation of pedestrian or vehicular traffic. This change removes the City's enforcement from private property, unless there is an impediment to the normal flow or regulation of pedestrian or vehicular traffic. The appeal changes incorporated on December 8, 2014 have been incorporated into the proposed ordinance as well. The proposed ordinance removed the exceptions to the requirement for a permit, these being a funeral procession, students going to and from school or a school activity, or if the applicant was a government agency. The proposed ordinance removes the issuance of the permit from the City Secretary and places it with the Chief of Police, and shortens the time limit required for an applicant to file the permit application. The current ordinance allows for an application to be turned in from forty seven (47) – sixty (60) prior to the event, and the proposed Ordinance changes this to thirty (30) – one hundred and fifty (150) days. The proposed ordinance continues to allow for City staff to work with the applicant on alternate parade routes if the original application is denied. Lastly, the proposed ordinance provides regulations that are narrowly tailored to serve a significant government interest yet leaves open ample alternative channels of communication of information.

Council Member Monica Alcocer suggested changes to the wording on Part II. §1.10.072 (3) to help it make sense.

- Greg Price, 6815 Connie Mack, spoke in favor of the proposed amendment.
- Olen Yarnell, 7230 Sulky Lane, questioned the allowed locations of public gatherings.

A motion was made by Council Member Carmen Sanchez, seconded by Council Member David Jordan, to accept Ordinance No. 15-006 as presented but to bring back a proposed amendment to Part II. §1.10.072 (3) at the next Council meeting. Upon a unanimous vote, Mayor Riley announced the motion carried.

## **DISCUSSION AGENDA**

### **Discussion on the flying of drones in residentially zoned areas of the City. M&C #2015-06-02-08 (City Attorney C. Rodriguez)**

Mayor Riley presented the item which was placed on the agenda in response to citizen concerns about drones flying over citizen backyards and taking photos.

City Attorney Clarissa Rodriguez presented information on the regulation of drones which she added would be the first in Texas to be passed by the City of Leon Valley.

This was followed by a discussion and citizen comments.

- Vicky Jamvold, 7203 Poss Road, spoke in favor of the proposed ordinance pointing out the safety and well-being of the citizens of Leon Valley.
- Richard Blackmore, 6639 Forest Haven, spoke in favor of the ordinance but getting more information.
- Kim Crawford, 7007 Forest Mont, questioned if this ordinance would regulate the height of helicopters flying over.

No action was taken on this item.

#### **City Manager's Report:**

##### **a) Approved Minutes from Boards, Commissions and Committees**

##### **b) Future Agenda Items:**

- **Funding Request by the Tree Advisory Committee for repurposing the wood from LC17 Project**
- **LC17 Update (Bobby Mengden, PE, CFM)**
- **Discussion on hiring of a new city manager (Executive Session)**

Interim City Manager Hank Brummett mentioned that the City Council would need to meet to discuss the process for hiring a new city manager and suggested that they do this on June 16<sup>th</sup>.

#### **Upcoming Important Events:**

##### **a) Boards/Commission/Committee Appointments, June 16<sup>th</sup>**

##### **b) 4<sup>th</sup> of July Spectacular at Raymond Rimkus Park**

Mayor Riley asked that everyone please note the upcoming events.

#### **Citizens to be Heard**

- Olen Yarnell, 7230 Sulky Lane, spoke about security issues involved with the move of the police department from the old area to the new area.

#### **Announcements by the Mayor and City Council Members**

Council Member Carmen Sanchez welcomed the new members of City Council

Council Member Monica Alcocer thanked everyone for attending tonight's meeting and encouraged them to continue to participate.

Council Member Benny Martinez echoed Council Member Alcocer's comment and said that he would like the new Council Chambers to allow the City Council meetings to be video recorded for citizens who are unable to attend to view.



Council Member David Jordan reminded everyone that the City Council needs volunteers to serve on the various boards and committees.

Mayor Riley introduced new hire, Assistant Police Chief Ray Lacy.

### **Adjournment**

Mayor Riley announced the meeting adjourned at 9:25 p.m.

**These minutes approved by the Leon Valley City Council on the 7<sup>th</sup> of July, 2015.**

APPROVED



**CHRIS RILEY**  
MAYOR

ATTEST:



**SAUNDRA PASSAILAIGUE, TRMC**  
CITY SECRETARY

